

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FRANCINE MOELLER, et al.,

Plaintiff(s),

v.

TACO BELL CORP.,

Defendant(s).

No. C 02-5849 PJH

**ORDER SCHEDULING CASE  
MANAGEMENT CONFERENCE**

By this order the court schedules a case management conference for **September 12, 2013, at 2:00 p.m.**, for the purpose of setting trial dates for the four individual plaintiffs. Counsel shall meet and confer and submit a joint case management statement seven days in advance of the conference addressing at a minimum the following issues:

1. Whether trial for Ms. Corbett should proceed first as previously planned given that her damages as to Store #4518 is all that is left to be tried as to Ms. Corbett and Store #4518.
2. Whether given that Ms. Moeller and Mr. Muegge both visited Store #3948 and that Mr. Muegge and Mr. Yates both visited Store #4951, the trials as to these three plaintiffs should proceed jointly instead of individually, bearing in mind that because liability has yet to be determined as to stores other than #4518 (except as reflected in the 2007 order granting partial summary judgment) trials for these three plaintiffs will be lengthier and more complicated than trial for Ms. Corbett.
3. Whether the trials will be conducted by a jury with the court determining whether injunctive relief should be granted and, if so, in what form.
4. Whether trials of the five stores identified in the first amended complaint as having

1        been visited by the four named plaintiffs, are likely to be sufficient to enable the court  
2        to determine whether and what injunctive relief should be granted, given that when  
3        this case was originally reassigned to the undersigned judge, a bellweather trial of  
4        ten stores was scheduled.

5        The court expects the parties to meet and confer in good faith and to work with each  
6        other and with the court to fashion a case management plan designed to conclude this  
7        litigation.

8        **IT IS SO ORDERED.**

9        Dated: August 12, 2013



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11        PHYLLIS J. HAMILTON  
12        United States District Judge